

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M No. 10936 of 2017

Date of decision: 26.5.2017

BHUPINDER SINGH AND ANR.

.....petitioners

Versus

STATE OF PUNJAB

.....respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.K.P.S.Virk , Advocate,
for the petitioners.

Mr. Shilesh Gupta, Addl.A.G.Punjab.

Mr. Rajiv Mittal, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(oral)

On 30.3.2017, following order was passed by this
Court:-

*“Learned counsel for the petitioner
contends that it is a case of no injury. There was a
search of police in the house of the complainant.
Thereafter, the petitioners and Harwinder Singh
allegedly came in front of the house of the
complainant and started threatening that this time no
recovery has been effected from the house of the*

complainant but in future, they will implicate the complainant in some false case. The petitioner uttered "Budiye" (old woman) we will inflict some major harm to your family. On this, the wife of the complainant became perplexed and fell down and ultimately died lateron. Learned counsel contends that ingredients of offence under Section 304 IPC in terms of injury, intention and knowledge are missing altogether.

Notice of motion for 26.05.2017.

In the meanwhile, petitioners are directed to appear before the SHO/Investigating Officer to join investigation on 05.04.2017 and in the event of their arrest, they shall be enlarged on ad interim bail, subject to the satisfaction of Arresting Officer. However, petitioners shall abide by the conditions incorporated under Section 438(2) Cr.P.C."

Learned counsel for the petitioners has submitted that the petitioners have joined the investigation. This fact has not been disputed by learned State counsel, on instructions from ASI Sarabjit Singh. However, learned counsel for the complainant has vehemently opposed the prayer by contending that the ingredients of offence under Section 304 IPC are fully

attracted.

Since the petitioners have joined the investigation and they are no more required for further investigation, therefore, the interim order dated 30.3.2017 is made absolute.

Petition stands disposed of.

May 26, 2017 anita	(RAJ MOHAN SINGH) JUDGE
Whether reasoned/Speaking	Yes/No
<i>Whether reportable</i>	<i>Yes/No</i>